

1
2
3 **UNITED STATES DISTRICT COURT**
4 **DISTRICT OF NEVADA**

5 * * *

6 MARLON BROWN,

7 Plaintiff,

8 v.

9 LAS VEGAS METROPOLITAN POLICE
DEPARTMENT, ET AL.,

10 Defendants.
11

Case No. 2:19-cv-01350-APG-DJA

ORDER

12 This matter is before the Court on Plaintiff's Motion for Reconsideration (ECF No. 34)
13 and Exhibit (ECF No. 35), filed on August 14 and 17, 2020. Defendants filed a Response (ECF
14 No. 41) on August 28, 2020. This matter is also before the Court on Plaintiff's Motion for
15 Judicial Notice (ECF No. 42), filed on August 28, 2020.

16 The Court notes that a Notice of Appearance was filed on August 24, 2020 by attorney
17 Michael Mcavoyamaya indicating he now represents the Plaintiff. As such, Plaintiff shall not
18 continue to file anything personally with the Court and all filings must be made by the attorney.
19 Local Rule IA 11-6.

20 Moreover, Plaintiff's personally filed request that the Court take judicial notice of his
21 discovery documents is procedurally improper. Plaintiff shall not file discovery documents with
22 the Court and judicial notice is not appropriate for a discovery document. As such, the Court will
23 deny Plaintiff's Motion.

24 Similarly, Plaintiff's personally filed request for reconsideration lacks merit. A district
25 court "possesses the inherent procedural power to reconsider, rescind, or modify an interlocutory
26 order for cause seen by it to be sufficient[.]" so long as it has jurisdiction. *City of Los Angeles,*
27 *Harbor Div. v. Santa Monica Baykeeper*, 254 F.3d 882, 885 (9th Cir. 2001) (quotation and
28 emphasis omitted); *see also Smith v. Clark Cty. Sch. Dist.*, 727 F.3d 950, 955 (9th Cir. 2013).


1 This district's local rule LR 59-1 advises that "[a] party seeking reconsideration . . . must state
2 with particularity the points of law or fact that the court has overlooked or misunderstood." LR
3 59-1(a). "Motions for reconsideration are disfavored. A movant must not repeat arguments
4 already presented" except in narrow circumstances. *Id.* at (b).

5 Plaintiff does not set forth a valid reason why the Court should reconsider Order ECF No.
6 32. He merely restates the arguments that he has made multiple times before. Further, the Court
7 is not persuaded that Plaintiff's failure to respond to requests for admission for over 100 days
8 should be excused. Therefore, it will deny his request for reconsideration.

9 **IT IS THEREFORE ORDERED** that Plaintiff's Motion for Reconsideration (ECF No.
10 34) is **denied**.

11 **IT IS FURTHER ORDERED** that Plaintiff's Motion for Judicial Notice (ECF No. 42) is
12 **denied**.

13 DATED: September 8, 2020.

14 
15 _____
16 DANIEL J. ALBREGTS
17 UNITED STATES MAGISTRATE JUDGE
18
19
20
21
22
23
24
25
26
27
28